



South Carolina Department of Health
and Environmental Control

NEWS RELEASE

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Court of Appeals affirms dock permit denial

COLUMBIA – The S. C. Court of Appeals has upheld the Department of Health and Environmental Control's denial of a dock permit on Oaks Creek in Huntington Beach State Park in Georgetown County, the state Department of Health and Environmental Control reported.

"This opinion is significant in that it affirms the state's efforts to protect the park in its pristine and undisturbed condition," said Leslie Riley, chief council for DHEC's Office of Ocean and Coastal Resource Management.

Riley said the court's 11-page opinion was issued Sept. 20.

In 1998, N. David DuRant applied with DHEC to construct a walkway and floating dock originating from two privately owned lots on Oaks Creek, in Huntington Beach State Park. DuRant's property borders a 990-acre plot that is owned by Brookgreen Gardens and leased by the S.C. Department of Parks, Recreation and Tourism. The property is also registered as a Heritage Trust site and a state-designated wildlife sanctuary.

The permit was denied by DHEC because the marsh area identified in the application qualifies as a Geographical Area of Particular Concern (GAPC) under the state's Coastal Zone Management Act and its regulations, which entitles the area to a heightened level of protection. Currently there are no private docks in the entire area. DHEC's denial has been affirmed at all levels, including the Administrative Law Court and the Coastal Zone Management Appellate Panel.

Riley said it is not known whether DuRant will appeal the decision to the S.C. Supreme Court.

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